

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In The Matter Of:

APPLICATION OF KENTUCKY POWER
COMPANY FOR APPROVAL OF ITS
2011 ENVIRONMENTAL COMPLIANCE
PLAN, FOR APPROVAL OF ITS
AMENDED ENVIRONMENTAL COST
RECOVERY SURCHARGE TARIFF, AND
FOR THE GRANTING OF A
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY FOR
THE CONSTRUCTION AND
ACQUISITION OF RELATED
FACILITIES

CASE NO. 2011-00401

RECEIVED

APR 03 2012

PUBLIC SERVICE
COMMISSION

**TOM VIERHELLER, BEVERLY MAY, AND THE SIERRA CLUB'S MOTION TO
DEVIATE FROM FILING REQUIREMENTS WITH RESPECT TO THEIR
CONFIDENTIAL RESPONSES TO KENTUCKY POWER
COMPANY'S FIRST INFORMATION REQUEST**

Intervenors Tom Vierheller, Beverly May, and Sierra Club (collectively "Environmental Intervenors") move the Kentucky Public Service Commission ("Commission"), pursuant to 807 KAR 5:001 Section 14, for leave to deviate from the filing requirements in this proceeding.

Environmental Intervenors request that the Commission excuse them from filing paper copies of its confidential responses and attachments to Kentucky Power Company's First Set of Information Requests until Tuesday, April 3, 2012. In support of its motion, Environmental Intervenors state:

1. Environmental Intervenors are required to file an original and 1 copies of all confidential data responses and attachments, along with a service copy to all parties of record that have signed a confidentiality agreement by April 2, 2012.

2. One attachment to the responses concerns information that Kentucky Power Company moved to be treated as confidential information, which the Commission granted on March 30, 2012.
3. Environmental Intervenors's local counsel is out of town until Wednesday, April 4, 2012 and Environmental Intervenors do not want to add another person, who does not need to be involved in this case, to the confidentiality agreement between Environmental Intervenors and Kentucky Power Company.

Environmental Intervenors request permission to deviate from filing requirements as follows:

- (1) Environmental Intervenors will send a paper original and 1 paper copy on April 2, 2012 via Federal Express for overnight delivery so that the Commission will receive these documents on April 3, 2012.
- (2) Environmental Intervenors will send via facsimile a copy of the one document that contains information that the Commission ruled is granted confidential protection on April 2, 2012.
- (3) Environmental Intervenors will send on April 2, 2012 all service copies of the confidential information to all parties who have signed a confidentiality agreement.

WHEREFORE, Environmental Intervenors request leave to file the confidential attachment response to Kentucky Power Company's Request for Information in the manner set forth above.

Respectfully submitted,



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Dated: April 2, 2012

CERTIFICATE OF SERVICE

I certify that I mailed a copy of Environmental Intervenors Tom Vierheller, Beverly May, and Sierra Club's Motion to Deviate by first class mail on April 2, 2012 to the following:

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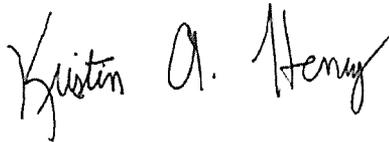
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